

## COON RAPIDS CITY COUNCIL MEETING MINUTES OF NOVEMBER 4, 2015

### CALL TO ORDER

The first regular meeting of the Coon Rapids City Council for the month of November was called to order by Mayor Jerry Koch at 7:00 p.m. on Wednesday, November 4, 2015, in the Council Chambers.

### PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Koch led the Council in the Pledge of Allegiance.

### ROLL CALL

Members Present: Mayor Jerry Koch, Councilmembers Ron Manning, Wade Demmer, Jennifer Geisler, Brad Johnson and Steve Wells

Members Absent: Councilmember Denise Klint

### ADOPT AGENDA

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER GEISLER, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

### PROCLAMATIONS/PRESENTATIONS

None.

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

#### 1. OCTOBER 20, 2015, COUNCIL MEETING

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER MANNING, FOR APPROVAL OF THE MINUTES OF THE OCTOBER 20, 2015, COUNCIL MEETING. THE MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA/INFORMATIONAL BUSINESS

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2. ADOPT RESOLUTION 15-123 ACCEPTING 2016 DWI OFFICER GRANT
  3. ADOPT RESOLUTION 15-119 ACCEPTING RECYCLING GRANT FROM ANOKA COUNTY FOR THE COON RAPIDS ICE CENTER
  4. APPROVE DRIVEWAY EASEMENT AGREEMENT, 14XX COON RAPIDS BOULEVARD
  5. ADOPT CITY OF COON RAPIDS SPECIAL ASSESSMENT POLICY UPDATE
  6. ACCEPT QUARTERLY FINANCIAL REPORT
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MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER DEMMER, FOR APPROVAL OF THE CONSENT AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

PUBLIC HEARING

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None.

BID OPENINGS AND CONTRACT AWARDS

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None.

OLD BUSINESS

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7. CONSIDER ADOPTION OF ORDINANCE 2149 AUTHORIZING SALE OF RESIDENTIAL LOT, 11400 HANSON BOULEVARD
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The Staff report was shared with Council.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT ORDINANCE 2149 AUTHORIZING THE SALE OF THE LOT AT 11400 HANSON BOULEVARD; APPROVE THE PURCHASE AGREEMENT WITH THE ANOKA COUNTY HOUSING AND REDEVELOPMENT AUTHORITY; AUTHORIZE THE MAYOR AND CITY MANAGER TO EXECUTE THE DEED; AND AUTHORIZE STAFF TO EXECUTE OTHER CLOSING DOCUMENTS AS NECESSARY TO CLOSE ON THE PROPERTY. THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

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8. CONSIDER INTRODUCTION OF ORDINANCE FOR CENTURYLINK CABLE

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TELEVISION FRANCHISE AGREEMENT AND ORDER PUBLIC HEARING

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The Staff report was shared with Council.

Mayor Koch considered the Ordinance for the CenturyLink Cable Television Franchise Agreement to be introduced.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER WELLS, TO ORDER A PUBLIC HEARING FOR THE CENTURYLINK CABLE TELEVISION FRANCHISE AGREEMENT TO BE HELD ON THE NOVEMBER 17, 2015 AT 7:00 P.M. THE MOTION PASSED UNANIMOUSLY.

9. CONSIDER RESOLUTION 15-120 APPROVING MNDOT AGREEMENT #1001638, MASTER PARTNERSHIP CONTRACT BETWEEN THE STATE OF MINNESOTA AND CITY OF COON RAPIDS
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The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER GEISLER, TO APPROVE THE MASTER PARTNERSHIP AGREEMENT, MNDOT AGREEMENT # 1001638, AND CORRESPONDING RESOLUTION NO. 15-120, AND AUTHORIZE CITY OFFICIALS TO EXECUTE THE AGREEMENT WITH THE STATE OF MINNESOTA THROUGH ITS COMMISSIONER OF TRANSPORTATION BEGINNING OCTOBER 2015 AND EXPIRING JUNE 30, 2017.

Councilmember Johnson asked if the MnDOT agreement had been reviewed by the City Attorney. City Attorney Brodie advised that he had reviewed and recommended approval of the agreement.

THE MOTION PASSED UNANIMOUSLY.

10. CONSIDER EASEMENT AGREEMENTS FOR PROJECT 15-15, INTERSECTION IMPROVEMENT AT NORTHDAL BOULEVARD AND REDWOOD STREET
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The Staff report was shared with Council.

Mayor Koch asked if all easements for this project had been resolved. Public Works Director Himmer explained the City had reached agreements with all but one property owner. Staff would continue to work on negotiations with the final property owner.

MOTION BY COUNCILMEMBER DEMMER, SECONDED BY COUNCILMEMBER JOHNSON, TO ACCEPT TEMPORARY AND PERMANENT EASEMENTS FOR DEDICATION

OF RIGHT-OF-WAY DETAILED HEREIN, AND AUTHORIZE THE EXECUTION OF THE AGREEMENTS BETWEEN THE CITY OF COON RAPIDS AND LANDOWNERS OF THE PROPERTIES LISTED BY STAFF. THE MOTION PASSED UNANIMOUSLY.

11. PC 88-37: CONSIDER RESOLUTION 15-122 REVOKING CONDITIONAL USE PERMIT FOR JOHN BECKER, SEMI-TRAILER FOR STORAGE

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The Staff report was shared with Council.

Mayor Koch reviewed the letter received from Mr. Becker regarding the revocation of his conditional use permit. He feared that the numerous items being stored on his lot were cause for concern.

Councilmember Johnson discussed Mr. Becker's findings and asked if an illegal tire sales operation was occurring on the property. Planner Harlicker believed one of the people living in the icehouse or pop-up was running this business.

Councilmember Demmer commented this was a unique property given its zoning and location. While he was sympathetic to Mr. Becker and his motorcycle business, he stated he could not overlook the numerous code violations on the property. He asked if the Police Department has been assisting Mr. Becker in trespassing the individual living on his property. Police Chief Wise discussed how the Police Department had been involved in this situation.

Councilmember Manning suggested Mr. Becker lock the fish house and pop up camper to keep the individual from entering these spaces. Police Chief Wise explained that this would assist the Police Department in keeping the trespasser off the property.

Councilmember Geisler provided comment on the history of this property and believed that Mr. Becker had been given enough chances to follow City Code.

Councilmember Johnson stated that it was with a heavy heart, due to the fact this was an ongoing problem property, he would be supporting staff's recommendation.

Councilmember Demmer asked what the City's next steps would be if the Conditional Use Permit was revoked. City Attorney Brodie advised the trailer would have to be removed from the site and all code violations would have to be brought into compliance by the property owner. It was noted that Mr. Becker would be given a certain length of time to bring the property into compliance or the site could be abated.

Mayor Koch indicated he would not mind if the trailer and motorcycle parts remained if everything else was removed from the property. He asked if this would be a possibility for the City.

Councilmember Johnson provided an overview of the Conditional Use Permit and understood that Mr. Becker was and has been in violation of its terms for quite some time.

Councilmember Demmer questioned why the City has not removed the junk from this property prior to recommending the Conditional Use Permit be revoked. City Attorney Brodie explained that the City had given Mr. Becker a year to bring the site into compliance and at this time, staff believes the Conditional Use Permit revocation was a necessary step.

Councilmember Johnson requested staff allow Mr. Becker ample time to come into compliance, given the fact winter is approaching, and so long as he is making reasonable efforts to bring the property into compliance.

Councilmember Manning indicated it was unfortunate that Mr. Becker was in this predicament, however, this could have been avoided if Mr. Becker had heeded the City's past warnings.

Councilmember Johnson encouraged Mr. Becker to build an exterior shed to store his motorcycle parts, which would allow him to keep his business operational.

Councilmember Wells did not understand how the Conditional Use Permit had evolved into the property becoming a junk yard. He did not believe Mr. Becker was properly taking responsibility of his property.

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER JOHNSON, TO ADOPT RESOLUTION NO. 15-122 REVOKING THE CONDITIONAL USE PERMIT FOR JOHN BECKER DUE TO THE FACT THE CONDITIONAL USE IS BEING OPERATED AND MAINTAINED IN A MANNER CONTRARY TO THIS TITLE, THE APPROVED CONDITIONAL USE PERMIT, OR ITS CONDITIONS BASED ON THE FOLLOWING FINDINGS:

1. THE APPLICANT IS IN VIOLATION OF THE FOLLOWING CONDITIONS OF HIS APPROVAL:
  1. THERE SHALL BE NO OUTSIDE STORAGE OF MATERIAL AND ACCUMULATION OF DEBRIS.
  2. THERE SHALL BE NO STORAGE OF HAZARDOUS OR HIGHLY FLAMMABLE MATERIAL IN VIOLATION OF FIRE CODES.
2. THE CONDITIONAL USE IS BEING OPERATED AND MAINTAINED IN A MANNER CONTRARY TO THIS TITLE:
  1. THE APPLICANT HAD TWO INDIVIDUALS LIVING IN A NON-COMPLIANT ACCESSORY STRUCTURE AND A CAMPER.
  2. THERE ARE MULTIPLE TRAILERS ON SITE.

3. THERE HAVE BEEN MULTIPLE POLICE REPORTS REGARDING THE INDIVIDUALS LIVING IN ILLEGAL STRUCTURES.
4. OPERATION OF AN ILLEGAL TIRE SALES/REPAIR BUSINESS ON THE PROPERTY.
5. COON RAPIDS FIRE DEPARTMENT NOTED THE HAZARDOUS CONDITIONS ON THE SITE AND REQUESTED THE PROPERTY BE PLACED ON ANOKA COUNTY DISPATCH ALERT.

THE MOTION PASSED 5-1 (DEMMEER OPPOSED).

12. CONSIDER RESOLUTION 15-15(8) APPROVING PLANS AND SPECS AND ORDERING ADVERTISEMENT FOR BID FOR THE NORTHDAL/REDWOOD INTERSECTION IMPROVEMENT PROJECT
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The Staff report was shared with Council.

MOTION BY COUNCILMEMBER MANNING, SECONDED BY COUNCILMEMBER WELLS, TO ADOPT RESOLUTION NO. 15-15(8) APPROVING PLANS AND SPECIFICATIONS, AND ORDERING ADVERTISEMENT FOR BIDS FOR THE NORTHDAL/REDWOOD INTERSECTION IMPROVEMENT PROJECT. THE MOTION PASSED UNANIMOUSLY.

13. CONSIDER INTRODUCTION OF ORDINANCES REVISING FEES FOR 2016 AND SET PUBLIC HEARING FOR LIQUOR LICENSE FEE INCREASES
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The Staff report was shared with Council.

Mayor Koch considered the Ordinances revising liquor license fees for 2016 to be introduced.

MOTION BY COUNCILMEMBER GEISLER, SECONDED BY COUNCILMEMBER WELLS, TO SET A PUBLIC HEARING FOR NOVEMBER 17, 2015 AT 7:00 P.M. REGARDING THE FEE INCREASES FOR ON-SALE 3.2 MALT LIQUOR, OFF-SALE INTOXICATING LIQUOR, AND ON-SALE INTOXICATING LIQUOR LICENSES. THE MOTION PASSED UNANIMOUSLY.

#### OPEN MIC/PUBLIC COMMENT

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Mayor Koch reviewed the rules of order for the Open Mic/Public Comment portion of the meeting.

Carol Kampff, 8330 Redwood Street NW, expressed concern with the City's lack of code

enforcement in her neighborhood. She reported that she has called the City on numerous issues and was tired of waiting, watching and seeing nothing change. She did not believe the City's current code enforcement process was efficient and should be addressed by the City Council. She proposed that neighborhood audits be completed in order to address the numerous compliance issues and that feedback be provided to residents. She suggested that spring or fall cleanup days be reinstituted. It was her hope that her neighborhood could be returned to its pristine condition.

Ms. Kampff did not support residential lots having chickens.

Councilmember Manning was in favor of the Council further discussing the City's code enforcement procedures.

Mayor Koch was in agreement.

#### REPORTS ON PREVIOUS OPEN MIC

None.

#### OTHER BUSINESS

Councilmember Geisler reported Kendall's opened last week. She encouraged all to visit this new restaurant at the golf course.

City Manager Stemwedel indicated City Hall would be closed on Wednesday, November 11<sup>th</sup> in observance of Veteran's Day.

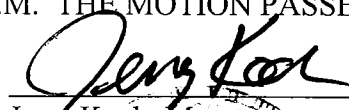
Mayor Koch recognized Officer Brian Platz for his efforts in making Coon Rapids a Heart Safe Community.

#### ADJOURN

MOTION BY COUNCILMEMBER WELLS, SECONDED BY COUNCILMEMBER DEMMER, TO ADJOURN THE MEETING AT 7:53 P.M. THE MOTION PASSED UNANIMOUSLY.

ATTEST:

  
Joan Lenzmeier, City Clerk

  
Jerry Koch, Mayor

